

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

September 16, 2011

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Water Resources Committee, having met on August 30, 2011, makes reference to County Communication 11-223, from Councilmember Michael P. Victorino, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 14.01.050, MAUI COUNTY CODE, RELATING TO THE USE OF WATER FROM HAMAKUAPOKO WELLS".

The purpose of the proposed bill is to allow water from Hamakuapoko Wells 1 and 2 to be provided to consumers of the Department of Water Supply's Upcountry water system.

Your Committee notes that on September 15, 2006, the Council passed on second and final reading Bill 51 (2006), relating to the Water Code. Section 14.01.050 of the bill stated "Water from Hamakuapoko Wells 1 and 2 shall not be provided for human consumption". Passage of Bill 51 (2006) was based on the belief that various contaminants could not adequately be filtered from the Hamakuapoko Wells.

Your Committee heard from a representative from the State Department of Health who stated that in 2000 the Department approved the Hamakuapoko Wells for use as drinking water after treatment and the Department "stands by that approval" today. The Corporation Counsel advised your Committee that an Environmental Impact Statement must be conducted pursuant to Chapter 343, Hawaii Revised Statutes, prior to operating the wells to provide water to customers.

The Director of Water Supply stated that the Mayor and the Department of Water Supply are "fully supportive" of the proposed bill and the opening of the Hamakuapoko Wells. The Director further stated that, if the proposed bill passes, the Hamakuapoko Wells would be used as a backup source of water, allowing the Pookela Well to be put into full-time production. The additional water availability would allow the Department to provide water meters to approximately 500 households on the Upcountry waiting list.

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Your Committee expressed concern about the quality of the water, but noted that treatment would reduce any contamination to levels considered safe by scientists and regulators with the expertise to make such determinations.

Your Committee voted 5-1 to recommend passage of the proposed bill on first reading and filing of the communication. Committee Chair Victorino, Vice-Chair Pontanilla, and members Baisa, Carroll, and White voted "aye". Committee member Cochran voted "no". Committee member Hokama was excused.

Your Water Resources Committee RECOMMENDS the following:

1. That Bill _____ (2011), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 14.01.050, MAUI COUNTY CODE, RELATING TO THE USE OF WATER FROM HAMAKUAPOKO WELLS" be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 11-223 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



MICHAEL P. VICTORINO, Chair

ORDINANCE NO. _____

BILL NO. _____ (2011)

A BILL FOR AN ORDINANCE AMENDING SECTION 14.01.050, MAUI COUNTY CODE,
RELATING TO THE USE OF WATER FROM HAMAKUAPOKO WELLS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 14.01.050, Maui County Code, is amended to read as follows:

“**14.01.050 Hamakuapoko Wells.** Water from Hamakuapoko Wells 1 and 2 [shall not be provided for human consumption.] may only be provided to consumers of the department’s upcountry water system as defined in Section 14.13.030 of this code. Water quality sampling schedules shall comply with department of health regulations, and with standards set by the United States Environmental Protection Agency.”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



EDWARD S. KUSHI
Department of the Corporation Counsel
County of Maui
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